

ORDER REQUIRING THE UNION OIL COMPANY OF CALIFORNIA TO CEASE AND DESIST DISCHARGING WASTES CONTRARY TO REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION.

ORDER NO. 71-51

The California Regional Water Quality Control Board, San Francisco Bay Region finds:

1. On April 30, 1968 this Regional Board adopted Resolution No. 68-27 prescribing discharge requirements for the discharge by the Union Oil Company of California from its refinery near Rodeo, Contra Costa County.

2. The discharge requirements provide, in part, as follows:

"...C. The discharge of Waste "2" shall not cause waters of the State to exceed the following limits of quality at any point which is more than 100 feet from Outfall "2":

...
2.	Dissolved oxygen				5.0 mg/l minimum	

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D. The quality of ... and Waste "2" as discharged shall be maintained within the following limits of quality at all times:

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2. In any 24-hour composite sample composed of hourly aliquots each volumetrically proportional, plus or minus 5% to the waste flow rate at the time of collection:

...
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b. Toxicity: survival of test fishes in 96-hour bioassays of the undiluted waste:

(1)	Any sample	75% minimum
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(2)	The average of any three or more such consecutive samples collected during any 21 or more consecutive days	90% minimum
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... ..
E. The quality of Waste "2" as discharged shall be maintained within the following additional limits of quality at all times:

... ..

1. In any grab sample:

... ..

b. The moving median MPN coliform in the waste shall not exceed that in the refinery water supply drawn from San Pablo Bay by more than 500/100 milliliters, based upon:

- (1) Samples collected on the most recent five sampling days
- (2) Samples collected on at least two days per week
- (3) Samples collected during critical waste flow periods ...
..."

- 3. Data submitted by the discharger indicate that he has been violating requirements on effluent MPN coliform and toxicity for Waste "2", and on receiving water dissolved oxygen in the vicinity of Waste "2".
- 4. By letter dated July 9, 1971 the Regional Board staff notified the discharger of the violations of requirements and requested action to eliminate the violations as soon as possible.
- 5. On July 22, 1971 at 10:00 a.m. in the Assembly Room of the State Building at 1111 Jackson Street in Oakland California, after due notice to the discharger and all other affected persons, the Regional Board conducted a public hearing at which the discharger appeared, and evidence was received concerning the discharge.
- 6. The discharger has violated the requirements listed in 2 above, and currently is violating effluent bacterial and toxicity requirements on Waste "2". The discharger threatens to violate dissolved oxygen requirements on receiving waters near the discharge point of Waste "2".

IT IS HEREBY ORDERED THAT

- 1. Union Oil Company of California cease and desist discharging wastes contrary to the requirements listed in (2) above.
- 2. Compliance with the Board's discharge requirements be completed according to the following time schedule:

<u>COMPLIANCE STEP</u>	<u>COMPLETION</u> <u>DATE</u>	<u>STATUS REPORT</u> <u>DUE</u>
Complete and place in service the facilities needed to comply with bacterial requirements for Waste "2"	August 1, 1971	August 16, 1971

Complete studies needed to design facilities able to comply with the toxicity requirements for Waste "2"

December 1, 1971

December 16, 1971

Complete and place in service the facilities needed to comply with all waste discharge requirements for Wastes "1" and "2"

Comply with all Waste discharge requirements

Submit report by January 1, 1972, providing compliance dates for these steps.

The status reports required hereby shall be filed under penalty of perjury.

3. If, in the opinion of the Executive Officer, the Union Oil Company of California fails to comply with the provisions of this order, the Executive Officer is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Fred H. Dierker, Executive Officer of the California Regional Water Quality Control Board, San Francisco Bay Region, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the Regional Board at a meeting held on July 22, 1971.

Executive Officer